



Rep. Dave Winters

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09600HB3574ham001

LRB096 10505 RLJ 24278 a

1 AMENDMENT TO HOUSE BILL 3574

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3574 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing  
5 Section 5-41020 as follows:

6 (55 ILCS 5/5-41020)

7 Sec. 5-41020. Instituting proceedings.

8 (a) When a code enforcement officer observes a code  
9 violation, the officer shall note or, in the case of an animal  
10 control violation, the code enforcement officer may respond to  
11 the filing of a formal complaint by noting the violation on a  
12 violation notice and report form, indicating the following: the  
13 name and address of the respondent, if known; the name,  
14 address, and state vehicle registration number of the waste  
15 hauler who deposited the waste, if applicable; the type and  
16 nature of the violation; the date and time the violation was

1 observed; the names of witnesses to the violation; and the  
2 address of the location or property where the violation is  
3 observed.

4 (b) The violation notice and report form shall contain a  
5 file number, ~~and~~ a hearing date, and, if approved by the county  
6 board by ordinance, the amount of any fine imposed pursuant to  
7 an approved schedule of fines noted by the code enforcement  
8 officer in the blank spaces provided for that purpose on the  
9 form. The violation notice and report shall state that if the  
10 respondent does not voluntarily pay in accordance with the  
11 schedule of fines, if required, or fails ~~failure~~ to appear at  
12 the hearing on the date indicated, then the failure to pay, if  
13 required, or appear may result in a determination of liability  
14 for the cited violation and the imposition of fines and  
15 assessment of costs as provided by the applicable county  
16 ordinance. The violation notice and report shall also state  
17 that upon a determination of liability and the exhaustion of or  
18 failure to exhaust procedures for judicial review, any unpaid  
19 fines or costs imposed will constitute a debt due and owed to  
20 the county.

21 (c) A copy of the violation notice and report form shall be  
22 served on the respondent either personally or by first class  
23 mail, postage prepaid, sent to the address of the respondent.  
24 If the name of the respondent property owner cannot be  
25 ascertained or if service on the respondent cannot be made by  
26 mail, service may be made on the respondent property owner by

1 posting, not less than 20 days before the hearing is scheduled,  
2 a copy of the violation notice and report form in a prominent  
3 place on the property where the violation is found. If the  
4 violation notice and report form requires the respondent to  
5 answer within a certain amount of time, the county must reply  
6 to the answer within the same amount of time afforded to the  
7 respondent.

8 (d) In lieu of a personal appearance at the hearing, a  
9 county board may provide for the voluntary payment of a fine in  
10 accordance with a schedule of fines approved by ordinance.

11 (Source: P.A. 94-616, eff. 1-1-06.)

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.".